

Senate Bill No. 354

CHAPTER 114

An act to amend Sections 5101.2 and 5101.3 of the Vehicle Code, relating to vehicles.

[Approved by Governor July 27, 1997. Filed with
Secretary of State July 28, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

SB 354, Johannessen. Vehicles: firefighter and "Pearl Harbor Survivor" license plates.

(1) Existing law requires the Department of Motor Vehicles to issue, upon the payment of special fees, environmental and other special interest license plates, including special interest license plates to firefighters who meet prescribed requirements. The revenue derived from the payment of these special fees for firefighter's license plates, less the department's costs, are required to be deposited in the California Firefighters' Memorial Fund until January 1, 1999, and, thereafter, those revenues are required to be deposited in the California Fire and Arson Training Fund.

This bill would extend the time in which the described revenues are to be deposited into the California Firefighters' Memorial Fund until January 1, 2001, thereby delaying the deposit of those funds into the California Fire and Arson Training Fund until that date. The bill would also make a technical change in a cross-reference.

(2) Under existing law, a survivor of the attack on Pearl Harbor on December 7, 1941, may apply for and be issued special "Pearl Harbor Survivor" license plates for use on a vehicle. Existing law prohibits the transfer of those special plates to any other person.

This bill would instead provide that upon the death of a person issued those special license plates, the person's surviving spouse may retain the special license plates subject to certain conditions.

The people of the State of California do enact as follows:

SECTION 1. Section 5101.2 of the Vehicle Code is amended to read:

5101.2. (a) Any person otherwise eligible under this article who is a firefighter or a retired firefighter may apply for special license plates for the vehicle under this article. Any license plates issued pursuant to this section shall be issued in accordance with Section 5060.

(b) The applicant shall, by satisfactory proof, show all of the following:

(1) The applicant is, or has retired, in good standing as an officer, an employee, or a member of a fire department or a fire service of the state, a county, a city, a district, or any other political subdivision of the state, whether in a volunteer, partly paid, or fully paid status.

(2) The applicant is, or was until retirement, regularly employed as a firefighter or regularly enrolled as a volunteer firefighter.

(3) The applicant's principal duties fall, or fell until retirement, within the scope of active firefighting and any of the following activities:

(A) Fire prevention service.

(B) Fire training.

(C) Hazardous materials abatement.

(D) Arson investigation.

(E) Emergency medical services.

(c) The special license plates issued under this section shall contain the words "California Firefighter" and shall run in a regular numerical series.

(d) In addition to the regular fees for an original registration, a renewal of registration, or a transfer of registration, the following special license plate fees shall be paid:

(1) A fee of thirty-five dollars (\$35) for the initial issuance of the special license plates. These special license plates shall be permanent and shall not be required to be replaced.

(2) A fee of twenty dollars (\$20) for each renewal of registration which includes the continued display of the special license plates.

(3) If the special license plates become damaged or unserviceable, a fee of thirty-five dollars (\$35) for the replacement of the special license plates, obtained from the department upon proper application therefor.

(4) A fee of fifteen dollars (\$15) for the transfer of the special license plates to another vehicle qualifying as a vehicle owned by a firefighter who has met the requirements set forth in subdivision (b).

(5) In addition, for the issuance of environmental license plates, as defined in Section 5103, with the special firefighter personal vehicle license plates and distinctive design or decal, the additional fees prescribed in Sections 5106 and 5108. The additional fees collected pursuant to this paragraph shall be deposited in the California Environmental License Plate Fund.

(e) Upon the death of a person issued special license plates pursuant to this section, the plates shall be transferred to the surviving spouse, if he or she requests, or shall be returned to the department within 60 days after the death of the plateholder or upon the expiration of the vehicle registration, whichever occurs first.

(f) Except as provided in paragraph (5) of subdivision (d), the revenues derived from the additional special fees provided in this section, less costs incurred by the department pursuant to this section, shall, prior to January 1, 2001, be deposited in the California

Firefighters' Memorial Fund established by Section 18802 of the Revenue and Taxation Code.

(g) Except as provided in paragraph (5) of subdivision (d), the revenues derived from the additional special fees provided in this section, less costs incurred by the department pursuant to this section, shall, on and after January 1, 2001, be deposited in the California Fire and Arson Training Fund established by Section 13159.10 of the Health and Safety Code.

SEC. 2. Section 5101.3 of the Vehicle Code is amended to read:

5101.3. (a) Any person otherwise eligible under this article who qualifies under subdivision (b) may apply for special license plates which shall run in a separate numerical series and shall contain the words "Pearl Harbor Survivor." The plates may be issued for any vehicle, except a vehicle used for transportation for hire, compensation, or profit or a motorcycle, which is owned or coowned by the person.

(b) To qualify for issuance of the special plates, the applicant shall by satisfactory proof show all of the following:

(1) The applicant was a member of the United States Armed Forces on December 7, 1941, and received an honorable discharge from military service.

(2) The applicant was on station at Pearl Harbor, the Island of Oahu, or offshore within a distance of three miles, on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m., Hawaii time, as certified by a California chapter of the Pearl Harbor Survivors Association.

(c) In addition to the regular registration fees, the department shall charge a fee of thirty-five dollars (\$35) for the issuance of the special plates. Notwithstanding Section 9265, the applicant for a substitute Pearl Harbor Survivor license plate shall be charged a fee of thirty-five dollars (\$35).

(d) Whenever any person who has been issued a Pearl Harbor Survivor license plate applies to the department for transfer of the plates to another vehicle, a transfer fee of twenty dollars (\$20) shall be charged in addition to all other appropriate fees.

(e) Upon the death of a person issued special license plates pursuant to this section, his or her surviving spouse may retain the special license plates subject to the conditions set forth in this section. Upon the death of the spouse, the retained, special license plates shall be returned to the department either (1) within 60 days following that death or (2) upon the expiration of the vehicle registration, whichever occurs first.